

City of La Verkin

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La Verkin City Council Meeting Minutes Wednesday, June 18, 2014 6:00 p.m. Council Chambers, 111 S. Main, LaVerkin, Utah

Present: Mayor Kerry Gubler; Council-Members: Richard Hirschi, Ken Hooten, Chantelle Browning, Randy Reeve, and Brandon Stephenson; Staff: Kyle Gubler, Derek Imlay, Kevin Bennett, Chief Ben Lee, and Christy Ballard; Public: John & Rose Valenti, Ray & Laura Justice, Esther, Erick, and Timothy Hepworth.

Troylinn Benson has been excused.

- A. Called to Order** – Invocation and Pledge of Allegiance by Chantelle Browning at 6:00pm.
- B. Consent Agenda:** (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)
1. Declarations of conflict of interest
 2. Agenda
 3. June 4, 2014 regular meeting minutes
 4. Review Invoices and Checks: \$3,236.29

Councilman Reeve has reviewed the minutes and had a comment in regard to the animal control issue of skunk and raccoon calls. At one point there was a program started. Traps were purchased and the Animal Control Officer was going to be trained to euthanize those animals.

Mayor Gubler said there is going to be a committee put together to address animal control issues.

Motion was made by Councilman Richard Hirschi to approve the consent agenda as written including the June 4, 2014 regular meeting minutes and checks and invoices in the amount of \$3,236.29, second by Councilman Brandon Stephenson. Roll Call Vote: Reeve-yes, Hooten-yes, Stephenson-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

C. Committee Reports:

1. Planning Commission – The Planning Commission meeting was a public hearing for plat approval and the Development Agreement for Sunset View Estates. The developer promised to work with the citizens to address their concerns. Conditional approval was given.
2. Water Board – No meeting.
3. Fire District-Chief Kuhlmann was not present.
4. Sewer Board-Blair was not present. Councilman Hirschi stated the meeting is next week.
5. Community Garden-Councilman Hirschi reported there are squash and cucumbers almost ready. The first batch was picked on Saturday. He invited the councilmembers to weed.

Mayor Gubler thanked everyone for the effort being put into the community garden. There will be fresh zucchini, cucumber, eggplant, and peppers if anyone is interested.

D. Citizen Comment & Request for Future Agenda Items:

No comments were made.

E. Business:

1. Discussion and possible action to approve Resolution No. R-2014-06; A Resolution setting the Property Tax Levy for La Verkin City.

Mayor Gubler explained this is something that is done each year and the number is set by the County. The County will be receiving a copy of this resolution once it has been passed.

Motion was made by Councilman Ken Hooten to accept Resolution No. R-2014-06; a resolution setting the Property Tax Levy for the City of La Verkin for the FY beginning July 1, 2014 at .002532, second by Councilwoman Chantelle Browning. Roll Call Vote: Browning-yes, Hirschi-yes, Stephenson-yes, Hooten-yes, Reeve-yes. Motion carried unanimously.

2. Discussion and possible action to approve Resolution No. R-2014-07; A Resolution regulating the use of fireworks within the city limits of La Verkin.

Mayor Gubler stated there are two different options in the packet. We are in a drought and it is a dry, high fire year. The two options are park only or park and streets not closer than 100 yards to hillside or fields.

Councilwoman Browning asked if a person started a fire would they be solely responsible for the cost of putting it out or would the City be liable.

Kevin replied that a person has liability for whatever they start.

As of midnight the County has prohibited all fireworks in any unincorporated areas. Each city has the option to decide within their own city limits.

Mayor Gubler pointed out that if a person doesn't pay then the City ultimately has liability. His opinion is to allow fireworks in the City parks.

Kyle mentioned fireworks will be allowed 3 days before and 3 days after each listed holiday.

Kevin stated fireworks will only be allowed at Vintage Park and Wanlass Park.

Councilman Stephenson asked where the information will be posted.

It was replied the Resolution will be posted on the City's website and different locations in the Community.

Councilman Stephenson asked if a fire truck will be on sight.

Kevin answered he could not speak for the Fire District but Chief Kuhlmann has reviewed and approved both options and prefers the parks only.

Councilman Reeve stated this is the third year with these two options.

Councilman Hooten asked how the police department will enforce this resolution.

Chief Lee replied they will educate as much as possible and post it on the website. They will be out enforcing it as much as possible.

Motion was made by Councilman Ken Hooten to approve Resolution No. R-2014-07; a resolution regulating the use of fireworks within the city limits of La Verkin to Wanlass Park and Vintage Park, second by Councilman Brandon Stephenson. Motion carried unanimously.

F. Staff, Mayor & Council Reports:

City Administrator- Kyle Gubler

Kyle's handout had a list of July 4th events and activities. Lineup for the parade is 8-8:30am at the Council Chamber building. There will be a float for the Councilmembers.

Mayor Gubler will be speaking at the flag ceremony.

There will be races and games, food and entertainment right after the parade at Wanlass Park.

The 24th of July is handled by the LDS Church. There will be a float for the Councilmembers in that parade also.

The hotel is moving forward. They appear to be waiting on the flooring.

Doug Gubler and Troylinn Benson are both still out on sick leave.

The notes from the DTEC meeting are included in his handout.

Public Safety- Chief Ben Lee

Chief Lee introduced the new police officers for La Verkin City, Amber Crouse and Dennis Wolsleger. They both came highly recommended and after working with them the last few weeks he agrees with those recommendations.

Amber Crouse introduced herself. She has been a resident of La Verkin for six years. She loves the community and is happy to be working here. Her last job was with the Washington County Sheriff's office where she worked for ten years. Her husband is a sergeant with the WCS office and they have five children.

Dennis Wolsleger lives in Hurricane and has for ten years. He too has five children. His last job was with the State Parks at Sand Hollow Reservoir. He is excited for the opportunity to be in La Verkin.

Mayor Gubler welcomed both officers.

Chief Lee reported that the field training is going well. They are accomplishing what they set out to do.

There was an incident involving a pit bull attacking a cow. The officers were able to locate that animal and animal control has been dealing with it. The owner of the dog voluntarily surrendered the animal so it can be disposed of properly.

To follow up with Councilwoman Brownings question from the last meeting, during the past two weeks the County has responded to 7 calls in La Verkin during the hours of 2am-7am. Our officers have taken 48 calls during that same time.

In response to Councilman Reeve's statement at the beginning of the meeting, we do have cages available to citizens at no charge for raccoons, cats, and skunks. The citizen is responsible to dispose of the animal and return the cages. Kate Wadsworth is scheduled to attend the next animal euthanize training held in St. George. She will then be mentored by Dr. Bice.

The Police Department has signs they can put up stating restrictions for fireworks as well.

Councilman Reeve asked if once Kate is trained to euthanize will she be euthanizing animals for the citizens?

Chief Lee replied that has yet to be determined, he has not seen a policy in regard to that. After the training has been completed he will discuss the option with Kate.

Councilman Reeve received a call from a citizen who asked what the policy was in regard to the location of a police officer when they come on duty for their regular shift.

Chief Lee replied within the boundaries of La Verkin or Hurricane City, somewhere close by. Not necessarily in La Verkin City limits because a lot of our officers begin their duties when they are coming to work. Last week Officer Bulkley was able to stop an Attempt To Locate vehicle from the County that St. George put out on his way into work. They are also able to handle traffic offenses or the like.

Councilman Reeve asked the location Officer Bulkley needs to be at when he comes on duty.

Chief Lee replied Officer Bulkley is able to clock in when he gets to the area around Purgatory. That is about 10 minutes before he gets to La Verkin.

Councilman Hooten asked if Officer Bulkley is on duty the moment he clocks on.

Chief Lee replied that he is on duty the moment he clocks on. Officer Bulkley puts in extra time from his personal time filling out reports. Chief Lee feels like Officer Bulkley donates time to the City. La Verkin requires the officers to flex their time and Chief has talked to him about making sure he is flexing his time appropriately.

Councilman Hooten asked if a police officer goes to court in St. George, are they on the clock when they leave their house.

Chief Lee replied that they are. La Verkin also has a call out policy of a police officer receiving a minimum of 1 hour paid for call outs.

Full time police officers work 40 hours a week.

Director of Operations-Derek Imlay

Derek passed out some water statistics on irrigation. It has been tracked since 2010.

January and February are 0 because the water comes in around March 15th. It goes out November 15th unless the weather is okay then the District will let it stay on longer.

At the bottom of the paper is the amount of acre feet of water La Verkin has used, what our Irrigation rights are out of the Virgin River and the unused acre feet.

We are half way through the month of June and we have already used 199 acre feet of water which if we continue at that rate we will go over 400. If you look at the chart, that is an increase of 60+ acre feet of water.

Councilman Hooten asked about the increase in water usage during the month of November in 2013 and what the consequence of going over our allotted amount is.

Derek replied that typically during that month farmers put a lot of water down before the irrigation is taken out. The City also flushes out the lines during November, which takes about a week to do. The overall numbers in 2013 are higher possibly due to a better irrigation system. More people are hooking onto it.

If we go over our amount the Conservancy District will shut us off. There is no contract for the fee if La Verkin goes over their allotted amount.

The Virgin River is flowing considerably less than it has the past 5-8 years. Staff has been trying to educate the citizens and get them to water between the hours of 6pm and 10am. The District has not given us a mandatory watering schedule yet but they meet the first Monday of every month and that could change.

There are two lines that come out of the filter station, a 15 and 12 inch. The District has an 18" line that comes from behind the filter station. We use that line to increase the pressures to certain areas of the City. Friday, that line broke so the City shut it off and contacted the Conservancy District. He doesn't believe that line is on yet but La Verkin has been able to maintain adequate pressure to operate and there have been no complaints.

Ron Thompson from the WCWCD has clamped down on the culinary water usage from Toquerville Springs and is allowing us and Hurricane to take only what our allotted amount is. Toquerville uses this water as their culinary and irrigation and because of the amount they are using it has made it difficult for them to keep the pond full and the pressures up. We also have water from Ash Creek Springs that is pumped into the same line that brings us the Toquerville Springs water. Because of the restriction Hurricane is having issues filling their tank. To help them out we have gone completely off line and are only using water from Cottam Well, which is our secondary source of water. We are able to use 4.25 million gallons of water from that Well. Derek is not sure if that is monthly or annual, he is looking into it. The agreement with Hurricane is that they will pay 100% of the costs to pump and chlorinate the water coming out of Ash Creek Springs since they are the only ones using it and will pay WCWCD for any amount of water we use over our allotted amount from Cottam Well. We will continue with this agreement as long as Hurricane needs us to and as long as it doesn't impact our citizens. Our pressures have increased by 5-8 pounds and our tanks have been at the same level as when we were running off the springs.

Councilman Hooten asked for an update on the crack sealing for the streets.

Derek replied the 2014 Road Maintenance Project has been completed. Right now the plan is to take care of the 2nd and 3rd phases of Riverwood with the next project. That project will be started in January. There is a fund for emergency repairs. There are two of those types of projects being done right now at 250 W and 60 S.

Councilman Hooten has had a citizen contact him in regard to the frontage road in front of Stowells.

Derek replied they try to crack seal the roads to try and keep them from breaking up because it is cheaper but that only works for the newer roads. They will address the older roads that are in worse shape when there is money to take care of them.

Treasurer-Troylinn is still out on medical leave. She goes to the doctor on Monday.

Mayor Gubler-We are still not going to place a mandatory watering schedule on the City but would like to encourage watering between 6pm and 10am to avoid that.

Our Insurance Company is asking for anyone who at any point may be driving a City vehicle to give them their driver's license information.

Browning-Mosquito Abatement had a meeting. They have begun testing for West Nile Virus. 133 vials have been tested so far and no virus has been found.

They have been fogging two nights a week for the County. One of the areas is Cholla Creek in Toquerville; the other is in Washington on the Coral Canyon Dump road. If citizens feel they are in an area that needs the fogging, Mosquito Abatement has a web site with a section for you to request they come test your area. Mosquitoes are the only thing they can spray for.

Youth City Council met, they are trying to get a float and a food booth ready for the July 4th celebration. They would also like to do a service project/activity each month so if the Councilmembers

have any suggestions they would be happy to hear them. She has talked to them about weeding in the community garden. They could do that in August.
There are currently 8 youth city council members.

Hirschi-There has been talk in the past of the tire shops getting stagnant water in setting tires which attracts mosquitoes but he hasn't heard of any complaints so far.

Kyle said he has been to the tire stores and asked them about that. He was told they take precautions to avoid the water getting stuck in the tires.

Stephenson-Nothing to report.

Hooten- He attended the Confluence Park meeting today. They are working on a new trailhead at the end of Main Street in Hurricane and working to improve the trail system by identifying the trails better and making them more conducive for hiking. He encourages everyone to talk the Park up. The more use we have down there the better opportunity they have for receiving grants. It is a great asset to all of the surrounding communities.

Councilman Stephenson wondered if the numbers were based on the sign in sheet located at the trailhead.

Councilman Hooten was not sure how they determine the number of visitors but they do report on that number.

Reeve-Nothing to report.

G. Executive Session:

1. Strategy regarding pending or reasonable imminent litigation.

Motion was made by Councilman Ken Hooten to adjourn to an Executive Session at the location of 111 South Main in La Verkin Utah for the purpose of discussing pending or reasonably imminent litigation, second by Councilman Randy Reeve. Motion carried unanimously at 6:46pm.

G. Reconvene from Executive Session at 7:33pm.

H. Adjourn:

Motion was made by Councilman Ken Hooten to adjourn, second by Councilman Brandon Stephenson. Motion carried unanimously at 7:33pm.

Minutes were taken on behalf of the City Recorder by Christy Ballard.

July 16, 2014
Date Approved

ATTEST:

Kyle Gubler
Kyle Gubler
City Recorder

Kerry Gubler
Mayor, Kerry Gubler